

NEIGHBORHOOD COMMISSION
CITY AND COUNTY OF HONOLULU

MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE, COUNCIL COMMITTEE ROOM, 2ND FLOOR
530 S. KING STREET, HONOLULU, HAWAII

CALL TO ORDER: Executive Secretary Joan Manke asked Commissioners to come to order at 7:12 p.m., recognizing that a quorum was present.

MEMBERS PRESENT: Sheila Apisa, Clara Ching, Bernard Kaahanui, Jeanette Nekota, Kalene Sakamoto (late), Grant Tanimoto, Roy Wickramaratna.

MEMBERS EXCUSED: Ed Gall, Sylvia Young.

GUESTS: Elaine Akau (McCully-Moiliili Neighborhood Board No. 8), L. Gary Bautista (Ewa Neighborhood Board No. 23), Al Furuto (McCully-Moiliili Neighborhood Board No. 8), Debbi Glanstein (Kailua Neighborhood Board No. 31), Tom Heinrich, Jay Ishibashi (Managing Director's Office), Georgette "Jo" Jordan (Waianae Coast Neighborhood Board No. 24), Mike Klein (HICDA), Ron Lockwood (McCully-Moiliili Neighborhood Board No. 8), Daisy Murai, Bert Narita (Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5), Cynthia Rezentes (Waianae Coast Neighborhood Board No. 24), Tom Smyth (Downtown Neighborhood Board No. 13), Clifton Takamura (McCully-Moiliili Neighborhood Board No. 8), Jennifer Waihee (City Deputy Corporation Counsel), Linda Wong (Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5),

STAFF: Joan Manke (Acting Executive Secretary), Michelle Kidani, Elwin Spray.

WELCOME AND INITIAL ORGANIZATION: Executive Secretary Manke welcomed the community, asked for Commissioners to respond to a roll call and announced that a quorum was present (Commissioners Apisa, Ching, Kaahanui, Nekota, Tanimoto, Wickramaratna). Manke then explained that the first item of business was for Commissioners to designate a "temporary chair" or "presiding officer." The temporary presiding officer would conduct the election for the Chairperson position, which would serve the remainder of the officer term until August 2006. The Chairperson vacancy was due to the resignation of Commissioner Pam Witty-Oakland and the resignation of Commissioner Mike Ellis, who served as Commission Vice-Chairperson. She added that nominations for office do not need to be seconded and Commissioners may nominate themselves. An agreement of five Commissioners, which is the term "a majority vote" of 5, was required each time an action or vote is taken.

Kaahanui moved the nomination of Wickramaratna as Chairperson pro temp; Apisa seconded. There were no other nominations and Manke announced that she was recording the vote as unanimous for Wickramaratna as temporary presiding officer 6-0-0. Aye: (Apisa, Ching, Kaahanui, Nekota, Tanimoto, Wickramaratna).

ELECTION OF OFFICERS: Chair Wickramaratna called to order the Neighborhood Commission May 9, 2006 meeting and asked for the election of a commissioner to serve as Chairperson for the remainder of the regular 12-month term, which began in August 2005 and would end in July 2006.

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 2 OF 11**

Ching moved the nomination of Tanimoto as Chair. With no other nominations and without objection, Chair Wickramaratna closed nominations and declared Tanimoto as Commission Chairperson elected by unanimous vote, 6-0-0. Aye: (Apisa, Ching, Kaahanui, Nekota, Tanimoto, Wickramaratna).

Chair Tanimoto again welcomed the audience, asked them to introduce themselves and asked for Commissioners to elect a commissioner to serve as vice-chair for the remainder of the regular 12-month term to end in July. **Ching nominated Nekota as Vice-Chair, with Kaahanui seconding. With no other nominations and without objection, Chair Tanimoto closed nominations and declared Nekota Vice-Chairperson elected by unanimous vote, 6-0-0. Aye:** (Apisa, Ching, Kaahanui, Nekota, Tanimoto, Wickramaratna). (Sakamoto arrived, seven Commissioners present.)

Ching asked that Commissioners welcome the new Executive Secretary Joan Manke and the new officers (lei were presented). Chair Tanimoto recognized that there were new Commissioners and asked that they introduce themselves:

- Commissioner Apisa: full time teaching at University of Hawaii College of Education and part-time at Chaminade (where she is the head of a program within the College of Education).
- Commissioner Kaahanui: retired from Pearl Harbor Shipyard; from McKinley High School (Class of 1950); a resident of Kapolei community for 15 years and active in community: Lions, District Vice-President for Boy Scouts, and active in church; handball player.
- Commissioner Tanimoto: current chair of Aliamanu/Salt Lake/Foster Village Neighborhood Board No. 18, member for 14 plus years, most of time as chair; active in PAL baseball, McKinley High School graduate; current general counsel of Campaign Spending Commission and former Deputy Director (and Acting Director) of State Department of Taxation.

APPROVAL OF REGULAR MEETING MINUTES OF JANUARY 10, 2006: Chair Tanimoto asked for corrections or comments to the distributed Regular Meeting Minutes of January 10, 2006. Ching said she had changes to page 5:

- Insert in paragraph of Neighborhood Assistant's version, on line 4, inserting word "Ching" as having voted Aye.
- Delete from paragraph of Clara Ching's version, on line 4, deleting word "to" so that phrase is "discussion is sustained."
- Insert in paragraph of Clara Ching's version, on line 4, add word "Yes:" (with colon) to vote total so that phrase starts listing of votes of Fassler, Wong, etc.
- Insert in paragraph of Clara Ching's version, on line 5 and 6, move Nakano to reflect having abstained and not as having voted Nay.

Corrected page 5 follows:

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 3 OF 11**

**From: MANOA NEIGHBORHOOD BOARD NO. 7
JULY 7, 2004
REGULAR MINUTES
PAGE 3**

UNIVERSITY OF HAWAII ADMINISTRATION – Jim Manke, representing the University of Hawaii, reported the following: (1) Development of the tea house at the Lyon Arboretum is years away at this time. (2) Repaving of the Astronomy Institute's parking lot will be done in phases and take six weeks to complete. The work also includes work on curbs and walkways. (3) The coffee shop in the Atherton YMCA is being displaced to another location because its space is being leased for other uses. (4) Chair called to comment – he indicated to the Chair that he could but would not comment on the change in leadership of the presidency. The subject is under mediation at the present time, and normally, during mediation there is no comment from anybody.

Questions, answers and comments followed: (1) The new parking structure on Dole Street will be ready for the start of classes this Fall.

Chair Heinrich deferred the agenda to take an item of New Business at this time. There were no objections.

NEW BUSINESS:

CONSIDERATION OF VARIOUS PROPOSED RESOLUTIONS RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS' DECISION TO REMOVE PRESIDENT EVAN DOBELLE AND ITS CONSEQUENCES -- Chair Heinrich reviewed the following resolutions proposed by himself and other community members: (1) Request that a community representative from the Manoa Neighborhood Board No. 7 (and possibly the McCully-Moiliili Neighborhood Board No. 8) be included as a member of the new presidential selection committee. (2) Acknowledge the continued positive relationship between the Manoa Neighborhood Board and the University of Hawaii e.g., Dobelle's initiatives, proposed acquisition of Paradise Park area, various capital improvement projects, "University Town Center" discussions, participation on the UH-Manoa Long Range Development Plan Committee (Tom Heinrich, Jim Hardwood, Ron Lockwood). (3) Request that the Governor remove all of the present members of the Board of Regents and start fresh. (4) Express concerns with the apparent lack of progress and/or abuse of process by the Board of Regents in the matter of the termination of President Dobelle. (6) Proposed that the primary UH Manoa campus area be given to the McCully-Moiliili Neighborhood Board No. 8.

Discussion, pro and con, followed on the above items.

There is controversy about the wording of the Board's actions at this point. Following are three versions to be voted on by the Board during approval of the minutes.

Neighborhood Assistant's version:

During the discussion, Ching challenged Chair Heinrich's allowing discussion without previously having a motion on the floor. A vote was taken on whether or not to uphold the Chair's ruling to allow the discussion. A yea vote would uphold the Chair's ruling, a nay vote would not uphold

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 4 OF 11**

the Chair's ruling. The vote was as follows: Yea: Fassler, Wong, Heinrich, Harwood, Ragsdale. Nay: Ching, Nakano, Chapin, Iwai, Borges, Pearson. Abstain: Ezaki, Hueftle, Shoji, Nishioka. There was no majority vote to uphold or not uphold the Chair's ruling. Chair Heinrich allowed discussion to continue on this subject.

Clara Ching's version:

During the discussion, Ching raised a point of order. No motion was pending. Therefore, Chair Heinrich should not allow discussion to continue. Chair Heinrich stated this discussion was permitted at Neighborhood Board meetings. Ching appealed the decision of the Chair. Members voted on the appeal, "Shall the decision of the Chair to allow discussion be sustained?" The vote was as follows: Yea: Fassler, Wong, Heinrich, Harwood, Ragsdale. Nay: Ching, Chapin, Iwai, Borges, Pearson. Abstain: Nakano, Ezaki, Hueftle, Shoji, Nishioka. Chair Heinrich allowed discussion to continue on this subject.

Harwood and Heinrich's version:

During the discussion, Ching raised a point of order concerning whether the discussion could proceed without a motion having been made. Chair Heinrich stated that the Revised Neighborhood Plan did not require a motion to be made before discussion could be held on any issue. Ching appealed the Chair's decision. The question then put was, "Shall the appeal to overturn the ruling of the Chair be sustained? The vote was as follows: (6-5-4) Yea: Ching, Chapin, Iwai, Borges, Pearson. Nay: Fassler, Wong, Heinrich, Harwood, Ragsdale. Abstain: Nakano, Ezaki, Hueftle, Shoji, Nishioka. The question failed as nine affirmative votes are required. Therefore, Chair Heinrich allowed discussion on the University of Hawaii leadership issues to continue.

Ching also requested that the official transcript of the Manoa Neighborhood Board meeting of July 7, 2004 as transcribed by a Circuit court recorder (5 pages) be made part of the official records of the January 10, 2006 and the May 10, 2005 Neighborhood Commission meetings, as well as her March 1, 2006 statement (copies were passed out by Ching to Commission members – see attachment 1). Furuto requested a word change where he spoke on page 10, so that it reads "reviewing his board and their disregard ..." Smyth expanded on a past discussion of the placement of corrections to minutes, explaining that corrections to minutes should be located in the minutes of the meeting being corrected, not in the current (or a subsequent meeting) where they were voted on and where they would be 'out of context' or confusing. Smyth also pointed out that discussion – as corrections -- of a Board's minutes should not be at the Commission meeting where it was not a Commission event.

With no additional comments from those present, Chair Tanimoto asked for unanimous consent to the approval of the January 2006 Commission Minutes as corrected; consent was agreed to 7-0-0. Aye: (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

EXECUTIVE SECRETARY'S REPORT: Chair Tanimoto noted that the Executive Secretary's report had been printed and distributed and asked Manke to go over her report. Manke highlighted:

1. Changes to Commission and Commission office:
 - a. Resignations and appointments to the Commission have occurred since January,

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 5 OF 11**

with resignations from Commissioners Pat Lee, Pam Witty-Oakland and Michael Ellis and the appointments – and welcome to -- Commissioners Bernard Kaahanui, Sheila Apisa and Grant Tanimoto.

- b. As Executive Secretary of the Neighborhood Commission, she is scheduled for a final City Council vote on May 17, 2006.
 - c. Upcoming personnel changes in the Commission Office will include the following: Kelley Santiago to be Manke's office secretary, Rachel Glanstein will leave staff to accept a civil service position in another City department and a new employee, Chad Kahale, who will start as a new Neighborhood Assistant.
2. Request for Initiative Petition changes have been received from Boards (initiative petitions define board name, board seats and sub-district boundaries):
 - a. McCully-Moiliili Neighborhood Board No. 8 – new sub-district map
 - b. Kalihi Valley Neighborhood Board No. 16 – name change
 - c. Wahiawa Neighborhood Board No. 26 – name change

Section 1-4.4 and Section 1-4.5 of the Revised Neighborhood Plan provides for the Commission to hold public hearings in these communities prior to taking action at a Commission meeting. Public hearings will be scheduled by the Commission Office, providing at least 30 days public notice, and allowing for at least 15 days following the hearing for any additional written comments to be received. She recommends that public hearings be scheduled.

3. State Office of Information Practices Training: The Neighborhood Commission Office continues to encourage Board members (and new Commissioners) to take the Sunshine Law training required by City ordinance. In March 2006, 26 Neighborhood Board members went through the training, bringing a total of 338 to have been trained out of 408 board members. As Board members continue to be appointed to fill vacancies, the Office will schedule additional training dates.
4. Charter Commission Items Relating to Neighborhood Commission: The Charter Commission did not move forward, for inclusion on the ballot of the upcoming election, any of the proposed amendments relating to the Neighborhood Commission. There are now no Charter Commission items relating to the Neighborhood Commission.
5. Complaints: Recommendations for action – withdrawal -- is made to Commissioners for ten listed complaints as shown on a distributed report. Letters were sent to seven of the complainants, two have submitted letters to withdraw, and one complainant has moved.

Chair Tanimoto asked for questions from Commissioners and then from the public; there were none.

FOR ACTION: NEIGHBORHOOD PLAN REVISION

Chair Tanimoto reported that at the last meeting a discussion occurred about possible alternatives with regard to the process of making changes to the Neighborhood Plan, reporting that the Commission is involved in reviewing the Neighborhood Plan -- with a committee having been appointed several years ago -- and the Neighborhood Plan Review Committee currently has Commissioners Gall and Wickramaratna serving as Co-Chairs – and no other members. He reported that Commission rules provide for committees to be named by the Commission Chair. He called on Committee Co-Chair Wickramaratna, who reported that he and Co-Chair Gall had, at the January meeting, suggested 3 alternatives, but made a recommendation for the Commission to take over the review task from the Committee, leaving the Commission to operate as a “committee of the whole” to deal directly with suggestions for changes. **Wickramaratna moved and Kaahanui seconded that the Neighborhood Commission**

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 6 OF 11**

accept the report of January 10, 2006 and implement alternative #3 and allow new chair and new Executive Secretary to coordinate further steps. Nekota stated her concern that the discussion at the January meeting included a proposal that the committee should meet and that this submittal is only by the committee chairs without any input from committee members. **Chair Tanimoto stated the motion as the implementation of alternative #3, which calls to continue the Neighborhood Plan revision process by the acceptance of the report from the current committee and the consideration of the proposed Plan revisions by a Commission "committee of the whole."** Glanstein expressed concerns that the Plan Committee meeting of December 2005 was unacceptable, asked that the Commission recognize the many hours of effort that have been put into the review effort, and urged that the revision efforts continue. Smyth noted that the September 13, 2005 Draft Plan version contains some but not all of the joint input. He said that the motion is a procedural issue that can be used to move forward the document, however, noted that there was no need to move the current document to public hearing anytime soon but that it should instead be used as a point to involve board members by asking for their review (by use of board investigative subcommittees) and to then have the Commission to direct that the editing (with the input received) be done outside of the Commission meeting. Smyth explained that boarded agencies vote to go to the public hearing point on a draft, then vote on the final and then vote to public hearing, all before the final report, thus affording many opportunities for input. Rezentes expressed appreciation for the report from Gall and Wickramaratna but pointed out that the report was not acted upon at the January meeting because it needed to be laid over to the next meeting and that now the agenda item does not indicate a specific position that is to be presented for action. She also said that the January discussion included holding a future committee meeting of the Plan Revision Committee and that taking the notes of past meetings, the committee should develop a procedural process plan for the future review of Plan revision. Rezentes suggested that the committee should be revised. Nekota discussed the November 10, 2005 meeting where there was talk that all the minutes of the Plan Committee would be integrated into the Plan by the Commission Office and also commented that the complete Draft Plan was not finished. Smyth reported that the item being discussed was a procedural issue, one that could be voted upon to be added to the agenda for this evening's meeting (which Corporation Counsel present would agree to) and suggested that this course of action be considered.

(Chair Tanimoto called for a short recess for him to consult with Deputy Corporation Counsel Waihee; after less than a minute he resumed the meeting.)

Chair Tanimoto announced that he believes that the Commission should consider correcting a possible ambiguity in the procedural issue of the agenda item and asked if Wickramaratna would consider withdrawing his motion and for the Commission to deal with the agenda item first; Wickramaratna withdrew his motion to refer Plan issue to a "committee of the whole."

Chair Tanimoto asked if the source documents were with the Neighborhood Commission Office. Nekota reported that not all were available, since Heinrich had said at a Commission meeting that the draft Plan was 95% done and she suggested that the additional 5% need to be obtained. Sakamoto asked Manke about the status; Manke reported that she had read through the minutes of Plan Committee meetings, listing out actions taken, comparing concepts to the draft Plan, and explained that a word-for-word comparison was not possible with the current plan. Manke reported her review is nearing completion. Wickramaratna asked what would happen if project were stopped entirely; Chair Tanimoto said he feels the agreement is that the

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 7 OF 11**

Commission should move forward but that there seems to be two options under discussion: 1) committee of the public and 2) committee of the whole of commission. Rezentes said that the prior Plan Committee meetings were in essence commission meetings of the whole since most commissioners attend the committee meetings. She suggested the Plan Committee meet as committee of the whole inviting prior public participants to attend and participate. Chair Tanimoto suggested that the Commission wishes to move procedurally and that the initial issue is to add to the agenda an item on Plan review process. **Nekota moved that the Commission move forward and take the Plan and move it forward to the committee of the whole; Chair Tanimoto stated the motion as “to add the Revised Plan process ‘committee of the whole’ concept to the agenda,” with Apisa seconding the motion, and Chair Tanimoto announcing that the item was added by unanimous consent, 7-0-0. Aye:** (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

Wickramaratna moved and Kaahanui seconded that the Neighborhood Commission accepts the report of January 10, 2006 and implements alternative #3, being to form a ‘committee of the whole’ and to allow new chair and new Executive Secretary to coordinate further steps. Nekota discussed amending alternative #3, which includes the possible ending of the revision project, to limit the options to “complete the revision project” which was agreed to by Wickramaratna. Without objection, Chair Tanimoto restated the motion as the Neighborhood Commission accepts the report of January 10, 2006 and implements alternative #3 as a method to complete the revision project, being to form a ‘committee of the whole’ and to allow new chair and new Executive Secretary to coordinate further steps. Sakamoto noted that the current version of the Neighborhood Plan is relatively thin and had been changed several times with staff doing the work; she commented that the revision was thick (229 pages) and that the Commission had Heinrich as a pro bono wordsmith for the past 6 years, and asked if the Commission Office would now take on the task; Manke said she would assign staff. Smyth said the concept of alternatives for the committee to consider was valuable and said he was in favor of the language, which allows for options but will continue the project. Glanstein commented that Plan change was also done by Charter change but stressed involvement of public in the Plan development process. Wong commented that the agenda item should be changed; Chair Tanimoto said that the Commission had made a change before she had come into the room. Bautista commented support of the motion and suggested that interested public be invited to participate. **Chair Tanimoto asked for a vote and announced that the motion passed unanimously, 7-0-0. Aye:** (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna)

FOR ACTION: COMPLAINT ITEMS

Chair Tanimoto asked Executive Secretary Manke to explain complaint items. She reported that the following complaints have been withdrawn by the complainants and recommends that a motion be made that the Commission dismisses complaints for Buza-Campos vs. Neighborhood Board No. 34 and for Hemmings vs. Neighborhood Board No. 31. **Nekota moved that the two complaints Buza-Campos vs. Neighborhood Board No. 34 and Hemmings vs. Neighborhood Board No. 31 be dismissed. Chair Tanimoto asked for a vote and announced that the motion passed unanimously, 7-0-0. Aye:** (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

Manke reported that the following complainants were sent a letter by Executive Secretary Hufana-Ablan advising the complainants that their issues have been addressed and that the Executive Secretary would be reporting the complaints to be withdrawn:

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 8 OF 11**

1. Smith, Gary vs. Neighborhood Board No. 23
2. Simutis vs. Neighborhood Board No. 35
3. Lin vs. Neighborhood Board No. 7
4. Kamiya vs. Neighborhood Board No. 30
5. Wong, Linda vs. Neighborhood Board No. 5 (A)
6. Wong, Linda vs. Neighborhood Board No. 5 (B)
7. Beason vs. Neighborhood Board No. 5

The withdrawal letter was discussed with Commissioners last year and the summary for these complaints were given to Commissioners last fall. Of these complaints, some were a part of a separate complaint that has already gone to hearing, but all are now against boards where an election for new board members has occurred. The Executive Secretary's letter said that the complaint would be considered withdrawn due to the change in Board members. If there is any objection to any of these complaints being dismissed now, they should be removed from this list – and from the motion – and referred to the Corporation Counsel to move complaints forward.

Wickramaratna asked if the letters had been sent by registered mail; Manke answered that she did not believe so. Nekota asked about the next name on the list – McCullough – and said that this complainant was not part of the master complaint list she had; Manke said she would review the master listing. Apisa noted that McCullough was not part of the current agenda item. **Apisa moved and Wickramaratna seconded that the Commission considers the following complaints to be withdrawn due to the change in Board members: Smith, Gary vs. Neighborhood Board No. 23, Simutis vs. Neighborhood Board No. 35, Lin vs. Neighborhood Board No. 7, Kamiya vs. Neighborhood Board No. 30, Wong, Linda vs. Neighborhood Board No. 5A, Wong, Linda vs. Neighborhood Board No. 5B, and Beason vs. Neighborhood Board No. 5.** Nekota said that the Neighborhood Plan says that a certified letter must be sent; Chair Tanimoto said that staff would check. **Wong said that she had two complaints and felt that these were systemic problems with Board and with Commission Office, including the two year delay and would like to continue with complaints; Chair Tanimoto said her complaints are off the list.** Heinrich asked to confirm that Lin did not respond; Manke said no response. **Chair Tanimoto restated the motion, that the Commission considers the following complaints to be withdrawn due to the change in Board members: Smith, Gary vs. Neighborhood Board No. 23, Simutis vs. Neighborhood Board No. 35, Lin vs. Neighborhood Board No. 7, Kamiya vs. Neighborhood Board No. 30, and Beason vs. Neighborhood Board No. 5.** Chair Tanimoto noted Smith was from Ewa Neighborhood Board No. 23. Chair Tanimoto asked for a vote and announced that the motion passed unanimously, 7-0-0. **Aye:** (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

Chair Tanimoto reported that Manke had said that the following complaint should be considered withdrawn by the complainant due to the moving of his residence out of the neighborhood district and her recommendation was that a motion be made that the Commission dismisses the complaint for McCullough vs. Neighborhood Board No. 10. Waihee reported that since he could not be contacted the complaint could not be processed and it needed to be dismissed. **Apisa moved and Wickramaratna seconded that the Commission considers the complaint for McCullough vs. Neighborhood Board No. 10 to be withdrawn due to the inability to contact the complainant (move of residence).** Chair Tanimoto asked for a vote and announced that the motion passed unanimously, 7-0-0. **Aye:** (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 9 OF 11**

COMMISSION MEETING DATES AND LOCATIONS:

Chair Tanimoto reported that the Commission rules provide that the Commission will hold not less than six meetings in a calendar year. The Commission has discussed rotation of meeting sites; with the past general agreement being that the Commission would meet every other time between Kapolei Hale and Honolulu Hale, especially since the Commission Office has actual office space in both locations. The Commission has generally held its meetings, for the past 15 years, on the second Tuesday of the month. The original reason for the second Tuesday was that no Board meetings were held on that day of the month; however, several years ago the Waikiki Neighborhood Board No. 9 moved their regular meeting day to the second Tuesday. The Waikiki Board has sent a letter requesting that the Commission consider a new meeting day.

Ching moved that the Neighborhood Commission hold their regular meetings in Honolulu Hale. There was no second.

Chair Tanimoto reported that the meeting location could be determined administratively and he asked for discussion on three items: if the Commission should meet in June or July, where should the meeting be, and if the Commissioners wished a regular day of the month. Manke reported that no Board meetings were held on the 1st and 4th Mondays. Apisa said that it was important that Commission meetings not be in conflict with board meetings and suggested that meetings be held on Mondays. Nekota noted conflicts of Monday meetings with holidays. Chair Tanimoto suggested the holiday could bump the meeting to the next Monday in the event of a conflict. **Ching moved and Apisa seconded that the Commission meet on the 4th Mondays as a regular meeting day, with a bumping to the first or to the next Monday in the event of a conflict.**

Chair Tanimoto asked about a June or July meeting, or if Commissioners wished to defer discussion. Wong asked that when complaints were considered that they be in Honolulu; Nekota noted that some people prefer the alternate of being in Kapolei.

Chair Tanimoto asked for consent on meeting on the 4th Monday and announced that the motion passed unanimously, 7-0-0. Aye: (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

Chair Tanimoto announced that with respect to the June or July meeting or with respect to the location that all Commissioners submit their preferences for future meetings to the Neighborhood Commission staff or to the Chair and that they sort it through. Ching announced her preference for Honolulu meetings. Nekota noted a preference for a 6:30 p.m. meeting. Smyth noted the earlier time did not seem to work well for a Kapolei site. Glanstein commented that alternating the location was fair but that as the Commission had missed three monthly meetings that the Commission should not miss the June meeting. Furuto suggested a fairer location would be one out of every three in Kapolei at 7 p.m., with the rest in Honolulu. Jordan suggested the June meeting and every other month be held at 7 p.m. in Kapolei. Ching asked to poll the audience; Chair Tanimoto said it was not a fair sample and to save the request for a future meeting.

PUBLIC HEARINGS ON REQUESTED INITIATIVE PETITION CHANGES:

Chair Tanimoto said that, as reported by Executive Secretary Manke, three requests for public hearings to change Initiative Petition have been received:

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 10 OF 11**

1. McCully-Moiliili Neighborhood Board No. 8
2. Kalihi Valley Neighborhood Board No. 16
3. Wahiawa Neighborhood Board No. 26

Chair Tanimoto asked if the Commission should schedule public hearing on the Initiative Petition Change requests. **Sakamoto moved and Kaahanui seconded that the Commission schedule public hearing on the Initiative Petition Change requests.** Smyth suggested that the public hearings be held in conjunction with the board meetings, where only a hearing officer (which he suggested could be staff) could conduct the hearing as part of the board's meeting. Furuto said he thought the joint hearing/meeting was a good idea and asked about his Board's submittal. Manke read from minutes for the McCully/Moiliili Neighborhood Board meeting of January 5, 2006 that the proposal was for 15 seats or three equal districts under Option 2005. **Chair Tanimoto asked for consent and announced that the motion passed unanimously, 7-0-0. Aye:** (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

NEIGHBORHOOD BOARD ELECTIONS: VERIFICATION OF 2005 RESULTS:

Chair Tanimoto reported that Neighborhood Board elections were held in spring of 2005. The Commission acted, under the Neighborhood Plan, to appoint a Chief Monitoring Officer who was to certify the election results and to hear election complaints. The Chief Monitoring Officer (CMO) certified the results, releasing them on May 1, 2005 and submitted a report to the Commission. Commissioners were provided reports on the complaint issues addressed. Chair Tanimoto reported that the Commission needs to resolve the 2005 elections and pointed out that options include a motion to verify the 2005 election results or the appointment of an Elections Committee. Nekota said the Commission voted in November 2005 to say that they do not verify, that the elections were certified by the CMO but not verified, that there were concerns and discussion, but a vote failed 1-1-5. Chair Tanimoto deferred the issue to executive session.

PUBLIC INPUT:

Chair Tanimoto reported that general public comments are made at this time. Nekota commented that Commissioners do not respond to issues presented. Glanstein noted that the City is involved with the budget process and the Boards should be given information about the budget. Bautista asked how do you diplomatically remove someone from a meeting. Smyth noted 1) that he agrees with budget concerns and is not sure if the staff has the information to provide and is not sure about the way in which the accounts are internally set up (if a Board is over budget because members of the public wish to receive mail – staff should review issues) and 2) the 30-day notice relative to the complaint process is too short and an additional problem occurs when a complainant is a member of the board. Smyth asked for a written opinion from Corporation as to whether that board member complainant must be included as respondent. Furuto reported that he had a frustrating experience being on his board and encouraged that the sunshine law be retained, relating that he opposed his board meeting in a location without a bathroom or parking and that his board would not mail out a newsletter. Jordan said she had serious concerns about the Neighborhood Commission – concerns that all were just spinning wheels – where commission does not have minutes, policies and procedures straight – needs solidity, and that she has concerns. Wong said that she is glad to see new faces, that she had discussed with former Commission Chair Witty-Oakland the need to revise procedures for minutes and expressed the need for meetings to be taped by Neighborhood Assistants. Manke said this meeting is being taped. Wong said in her Board, corrections are only done by placing page, line and words being corrected into minutes. Klein, introduced himself from the no-profit HICDA, and explained that he also represents for-profit companies – reporting that the board system is important, that he has made 25 to 30 presentations to generally 8 boards over several

**NEIGHBORHOOD COMMISSION
MINUTES OF REGULAR MEETING OF MAY 9, 2006
HONOLULU HALE
PAGE 11 OF 11**

years, that he has had a problem with a member from one board and recommends that the Commission consider a "code of ethics" to cover those board members who do not participate in a professional manner. Klein offered to discuss his suggestion. Lockwood reported that the Commission Office has had three executive secretaries in two years and has had many commissioners in past several years. He agreed that there was a need to see the budget but commented that Commissioners need to have experience in public input, where some issues are brought up as fresh that are years old, explaining that his board moved out of the library location many years ago to a location where they have bathrooms and lots of parking and that an improperly done survey was thrown out of a newsletter – all following the democratic process at the board.

EXECUTIVE SESSION: Chair Tanimoto announced that the Commission wished to consult with its attorney in executive session. Sakamoto moved that pursuant to Hawaii Revised Statutes Section 92-4 & 92-5(a)(4) & (8) for the purpose of consulting with the Neighborhood Commission's Legal Counsel on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities, especially in relation to the revision process of the Commission's rules (Neighborhood Plan), the Commission recess and meet in Executive Session. Chair Tanimoto asked for consent and announced that the motion passed unanimously, 7-0-0. Aye: (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

Chair Tanimoto recessed the Commission meeting at 8:50 p.m.

Following Executive Session, Chair Tanimoto called the meeting to order.

ADJOURNMENT: Chair Tanimoto thanked Commissioners for their assistance at his first meeting and, at 9:14 p.m., announced, without objection, the adjournment of the Regular Meeting of May 9, 2006, 7-0-0. Aye: (Apisa, Ching, Kaahanui, Nekota, Sakamoto, Tanimoto, Wickramaratna).

Submitted by Elwin Spray, Neighborhood Commission Office staff